PART B - FEE(S) TRANSMITTAL Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE Commissioner for Patents DEC 1 0 2004 P.O. Box 1450 Alexandria, Virginia 22313-1450 (703) 746-4000 or Fax This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications. maintenance fee notifications. CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address) Note: A certificate of mailing can only be used for domestic mailings of the Fec(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission. 7590 10/22/2004 Martin P. Endres, Esq. Certificate of Mailing or Transmission I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (703) 746-4000, on the date indicated below. HEDMAN & COSTIGAN, P.C. 1185 Avenue of the Americas New York, NY 10036 12/13/2004 WASFAW2 00000004 081540 10712505 Endres (Depositor's name 01 FC:1504 300.00 DP 02 FC:8001 03 FC:1501 6.00 OP December 2004 6.00 DA 1394.00 OP FIRST NAMED INVENTOR ATTORNEY DOCKET NO. APPLICATION NO. FILING DATE CONFIRMATION NO. 10/712,505 11/13/2003 Chih-Ming Chen 141-201A 8935 TITLE OF INVENTION: OMEPRAZOLE FORMULATION APPLN. TYPE SMALL ENTITY ISSUE FEE PUBLICATION FEE TOTAL FEE(S) DUE DATE DUE NO \$1370 \$1670 nonprovisional \$300 01/24/2005 EXAMINER ART UNIT CLASS-SUBCLASS TRAN, SUSAN T 1615 424-490000 Change of correspondence address or indication of "Fee Address" (37 CFR 1.363). 2. For printing on the patent front page, list HEDMAN & (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached. 2-COSTIGAN P.C (2) the name of a single firm (having as a member a "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required. registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

ANDRX Pharmaceuticals, Inc.

Fort Lauderdale, FL

| Please check the appropriate assignce category or categories (will not be | printed on the patent): 🚨 Individual 🖾 Corporation or other private group entity 🚨 Government |
|--|--|
| 4a. The following fee(s) are enclosed: | 4b. Payment of Fee(s): |
| XXIssue Fee | A check in the amount of the fee(s) is enclosed. |
| Publication Fee (No small entity discount permitted) | Payment by credit card. Form PTO-2038 is attached. |
| Advance Order - # of Copies2 | The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 08-1540 (enclose an extra copy of this form). |
| 5. Change in Entity Status (from status indicated above) | _ |
| a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. | b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2). |
| The Director of the USPTO is requested to apply the Issue Fee and Public NOTE: The Issue Fee and Publication Fee (if required) will not be accept interest as shown by the records of the United States Patent and Tradema | cation Fee (if any) or to re-apply any previously paid issue fee to the application identified above. ted from anyone other than the applicant; a registered attorney or agent; or the assignce or other party in rk Office. |
| Authorized Signature | Date December 8, 2004 |
| Typed or printed name Martin P. Endres | Registration No. 35,498 |

This collection of information is required by 37 CFR 1.311./The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

(Signature

(Date